



CITY OF MEMPHIS

COUNCIL AGENDA

July 21, 2015

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (July 7, 2015)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RECOGNITION of the Law Interns and Externs for their service to the City of Memphis.
Lowery
2. RESOLUTION approving an honorary street name change for John Bramlett.
W. Boyd

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARINGS

3. RESOLUTION approving a planned development located on the northeast corner of Summer Avenue and Graham Street, containing 1.29 acres in the Residential Urban-3 (RU-3), General Office (O-G) and Residential Single Family-6 (R-6) Districts. This resolution is sponsored by the Office of Planning and Development.
Collins Chairman, Planning & Zoning Committee Case No. PD 15-307

Applicant: H/Residential LLC and H/Summerview LLC (Harry Skefos)

Brenda Solomito Basar – Representative

Request: Planned Development to allow a Commercial Shopping Center

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

57 NOTICES WERE MAILED ON JULY 10, 2015

4. RESOLUTION approving a planned development located at 900 Reddoch Street, containing 2.66 acres in the Multi-family apartments in a Residential (RU-3) Zoning District. This resolution is sponsored by the Office of Planning and Development.
Collins Chairman, Planning & Zoning Committee Case No. PD 15-309

Applicant: Gill Properties, Inc.
Ronald Harkavy – Representative

Request: Permit an indoor storage and office facility in an RU-3 District

LUCB recommendation: REJECTION

OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

162 NOTICES WERE MAILED ON JULY 10, 2015

5. RESOLUTION approving a planned development located south of the intersection of Misty Meadows Lane and Hacks Cross Road, containing 17.62 acres in an area currently governed by P.D. 03-363cc. This resolution is sponsored by the Office of Planning and Development.
Collins Chairman, Planning & Zoning Committee Case No. PD 15-310

Applicant: Keras Children's FLP
Brenda Solomito Basar – Representative

Request: Allow a Planned Development for a Subaru Auto Dealership and retail uses

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

103 NOTICES WERE MAILED ON JULY 10, 2015

6. RESOLUTION approving a street/alley closure located on Coughlin Drive
Collins between Brooks Road and Stonebrook Avenue, containing 2.058 acres in the
Chairman, Employment (EMP) District. This resolution is sponsored by the Office of Planning and
Planning & Development. (Held from 4/15; 5/20; 10/7; 10/21; 11/18; 12/16; 1/20; 3/17; 4/21)
Zoning Committee Case No. SAC 13-605

Applicant: City of Memphis Engineering Division
Bill Wood, Pickering Firm – Representative

Request: Close and vacate a portion of Coughlin Drive Right-of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

25 NOTICES WERE RE-MAILED ON MARCH 6, 2015

DIVISION OF PLANNING AND DEVELOPMENT

7. RESOLUTION approving a planned development located at 912 Jackson Avenue,
Collins containing 0.94 acre in the CMU-3/MU/RU Districts. This resolution is sponsored
Chairman, by the Office of Planning and Development. (Held from 7/7)
Planning & Case No. PD 15-305
Zoning Committee

Applicant: Market Place Development, LLC
Mike Dedman – Representative

Request: Allow a Planned Development for a Family Dollar retail store within the MU/RU Zoning District

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

8. RESOLUTION approving a street/alley closure located ± 925 feet south of the south line of Market Plaza, containing 0.29 acre in an area currently governed by vacant land in the Galleria of Memphis P.D. This resolution is sponsored by the Office of Planning and Development.

Collins
Chairman,
Planning &
Zoning Committee

Case No. SAC 15-604

Applicant: Music City Investments, LLC
Harris & Associates, Joe Wiseman – Representative

Request: Close and vacate public right-of-way

LUCB and OPD recommendation: APPROVAL, with one (1) condition

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE – THIRD AND FINAL READING

9. ORDINANCE rezoning the intersection of Summer Avenue and Graham Street; extending east along Summer Avenue ± 292.07 feet and north along Graham Street ± 271.93 feet and applying to the east side of Graham Street only, containing 0.484 acre in the Residential Urban-3 (RU-3), General Office (O-G) and Residential Single Family-6 (R-6) Districts, up for T H I R D and F I N A L reading. This ordinance is sponsored by the Office of Planning and Development.

Collins
Chairman,
Planning &
Zoning
Committee

Case No. RC 15-401
Ordinance No. 5590

Applicant: H/Residential LLC and H/Summerview LLC
Solomito Land Planning-Brenda Solomito Basar – Representative

Request: Delete a portion of the Graham Street Residential Corridor

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

56 NOTICES WERE MAILED ON JULY 10, 2015



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CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING

10. **ORDINANCE** to transfer ownership of the equestrian statue of Nathan Bedford Forrest and to remove and relocate said statue from the City of Memphis' Health Sciences Park, pursuant to Section 579.1 of the Charter and subject to the provisions of the Tennessee Code Annotated, Section 4-1-412 (C) and to ratify the February 3, 2013 Memphis City Council resolution naming Health Sciences Park, Memphis Park and Mississippi River Park Nunc Pro Tunc, to the effective date of said resolution, up for F I R S T reading. Ordinance No. 5592 is sponsored by Chairman Myron Lowery.
- W. Boyd
Chairman,
Parks &
Neighborhoods
Committee

ACTION REQUESTED: Adopt the ordinance on First reading

GENERAL ORDINANCE - SECOND READING

11. **ORDINANCE** to redistrict all Council Districts and to assign newly annexed areas, if any, to Council Districts so that all such districts will remain as equal as practicable and all such districts will comply with the injunction decree issued by United States District Judge Jerome Turner pertaining to Voting Rights Act remedies, up for S E C O N D reading. Ordinance No. 5591 is sponsored by Councilman William Boyd.
- Crone
Chairman,
Personnel &
Intergovern-
mental Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE - FIRST READING

12. **ORDINANCE** rezoning both sides of Cleveland and Watkins Streets, from Larkin Avenue on the south to North Parkway on the north, approximately 5,604 feet (includes calculating both sides of the streets), in the Multi-family, office and commercial uses in the Commercial (CMU-2 and CMU-3) and Industrial (EMP) zoning districts within the Midtown District Overlay (MD). This ordinance is sponsored by the Office of Planning and Development.
- Collins
Chairman,
Planning &
Zoning
Committee

Case No. Z 15-101
Ordinance No. 5593

Applicant: City of Memphis

Josh Whitehead, on behalf of the Memphis City Council –
Representative

Request: Apply Urban and Transitional Frontage

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

ZONING ORDINANCE - SECOND READING (None)

ENGINEERING

13. RESOLUTION accepting 1-55/HUDGINS ROAD P.D. and authorizing release of bond.
Case No. PD 13-305
(Contract No. CR-5205)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located at I-55 and Hudgins Road. The standard improvement contract was approved on November 19, 2013. Resolution also authorizes the release of the Performance Bond in the amount of \$1,189,800.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

NOTATIONS FROM OPD

14. **NOTATIONS** from the Land Use Control Board that the following cases were heard and recommendation made requesting a date of public hearing:

A. Case No. PD 15-308 – One Beale P.D.

Located at 245 and 263 Wagner Place (SE and SW corner of Beale Street and Wagner Place), containing 3.21 acres in the South Main District in the South Central Business Improvement District.

Applicant: Carlise Corporation
SR Consulting, Cindy Reaves – Representative

Request: To permit a mixed-use development that includes a hotel, apartments, office space, restaurant, spa and on-site parking

LUCB and OPD recommendation: APPROVAL, with conditions

B. Case No. SAC 15-606 – One Beale P.D.

Located 355.41 feet south of the intersection of the west line of Wagner Place, containing 0.206 acre in the South Main District in the South Central Business Improvement District.

Applicant: Carlisle Corporation
SR Consulting, Cindy Reaves – Representative

Request: Close and vacate public right-of-way

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: August 4, 2015

GENERAL ITEM (None)



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FISCAL CONSENT AGENDA

15. RESOLUTION accepting a donation in the amount of \$275.00 from Thomas and Carolyn Conrad Bendall as awarded to the City of Memphis Police Department for C.O.P. Fashion Show.
Chairman, Public Safety Committee This resolution is sponsored by the Police Division.

ACTION REQUESTED: Adopt the resolution



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MLGW FISCAL CONSENT

16. RESOLUTION awarding Contract No. 11766, MLGW Safety Services HVAC Renovation, to Air Technical Services, Incorporated, in the funded amount of \$159,000.00.
17. RESOLUTION approving Change No. 4 to Contract No. 11460, Aerator Maintenance, with R. P. Services, in the funded amount of \$216,428.43. (This change is to renew the current contract for the fourth and final renewal term covering the period August 1, 2015 through July 31, 2016 in the funded amount of \$216,428.43, with no increase in rates from the previous year.)
18. RESOLUTION ratifying the award of Contract No. 11762, Underground Transmission Line Repair, to W. A. Chester, LLC, in the funded amount of \$206,000.00.
19. RESOLUTION awarding Contract No. 11795, Wireless Data & Miscellaneous Service, to AT&T Mobility, in the funded amount of \$843,780.00.
20. RESOLUTION awarding a sixty month contract to Pioneer Transformers Limited, for network transformers, in the amount of \$2,421,701.00.
21. RESOLUTION awarding a contract to Insource Solutions for a thirty-six month period, for Wonderware software support, in the amount of \$37,193.74.
22. RESOLUTION requesting approval of LMCG Investments, an emerging markets equity manager, to manage \$28,000,000 for the benefit of the MLGW Retirement and Pension Fund, as part of a reallocation.
23. RESOLUTION requesting approval of Corry Capital Advisors (CCA Black Fund), a life settlement fund manager, to manage approximately \$15,000,000 for the benefit of the MLGW Retirement and Pension Fund, as part of a reallocation.
24. RESOLUTION requesting approval of Vida Capital Management (Vida Longevity Fund), a life settlement fund manager, to manage \$15,000,000 for the benefit of the MLGW Retirement and Pension Fund, as part of a reallocation.

25. RESOLUTION awarding a contract to Universal Scaffold and Equipment, LLC, for personal protection equipment, in the amount of \$59,745.00.

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26. RESOLUTION approving Change No. 8 to Contract No. 10344, Computer Associates Combined Products, with Computer Associates International, Incorporated, in the funded amount of \$443,490.00. (This change is to renew the annual licenses, software maintenance, and support services for a two year term covering the period April 28, 2015 through April 27, 2017. This renewal reflects a 3.67% increase due to updates and product enhancement to the software. While corporate pricing model for CA's maintenance and licensing agreements includes an annual 5% increase, MLGW is receiving a discount for being a long time customer and entering into a multi-year renewal. MLGW is requesting approval of continuous maintenance of the acquired system, which can only be performed by Computer Associates International, Incorporated.)



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REGULAR AGENDA

27.

Crone
Chairman,
Personnel &
Intergovern-
mental
Committee

APPOINTMENTS

MEMPHIS CITY BEAUTIFUL COMMISSION

Appointments

Kimberly A. Alexander
Clyde Faulkner
Emily Adams Keplinger
Brandye Lee
Ann Marie Wallace

Reappointments

Catherine Normoyle
Andrew Trippel
Damone Virgilio

MEMPHIS AND SHELBY COUNTY AIRPORT AUTHORITY

Appointment

Michael Keeney

GENERAL ORDINANCE – THIRD AND FINAL READING

28.

Brown
Chairman,
Housing &
Community
Development
Committee

ORDINANCE to amend Chapter 2, Code of Ordinances of the City of Memphis, so as to establish Community Advisory Councils, up for T H I R D and F I N A L reading. Ordinance No. 5557 is sponsored by Councilwoman Wanda Halbert. (Held from 8/19; 9/16; 10/21; 11/18; 12/16; 1/20; 2/3; 2/17; 3/17; 4/21; 5/5; 6/2; 6/23).

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION

29. RESOLUTION requesting a minimum of \$13,500,000.00 for paving and \$7,000,000.00 for community projects be included in the FY2016 Capital Improvement Budget. This resolution is sponsored by Councilwoman Halbert. Co-sponsored by Councilman Berlin Boyd, Councilman Bill Morrison and Councilman Edmund Ford, Jr. (Held from 4/21; 5/5; 5/19; 6/2; 7/7)
- Strickland
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

MLGW DIVISION

30. RESOLUTION requesting the City Council to approve an amendment to the MLGW Division Retirement and Pension System, specific to Collective Trusts. This resolution is sponsored by Memphis Light, Gas and Water.
- B. Boyd
Chairman,
MLGW
Committee

ACTION REQUESTED: Adopt the resolution

31. RESOLUTION requesting the City Council to approve adoption of the Funding Policy of the MLGW Division Retirement and Pension System. This resolution is sponsored by Memphis Light, Gas and Water.
- B. Boyd
Chairman,
MLGW
Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES

32. RESOLUTION requesting the approval of a public auction to be held by the Memphis Police Department for the sale of 13 City owned forfeiture properties acquired on April 24, 2014 and on June 21, 2013. This resolution is sponsored by the Police Division.
- Conrad
Chairman,
Public Safety

Committee

ACTION REQUESTED: Adopt the resolution

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS

33. RESOLUTION appropriating \$3,703,700.00 in Capital PAY GO construction funds chargeable to the FY15 CIP Budget for SW02033, South Treatment Plant Expansion to replace two 700 HP raw sewage pump motors with two new 1,200 HP raw sewage motors, associated controls and structural motor support platform. This resolution is sponsored by the Public Works Division.

Hedgepeth
Chairman,
Public Works &
Transportation
Committee

ACTION REQUESTED: Adopt the resolution

34. RESOLUTION appropriating funds in the amount of \$2,500,000.00, CIP Project number SW02134 chargeable to the FY 2016 Capital Improvement Budget to repair and replace damaged sanitary sewer pipes in various locations. This resolution is sponsored by the Public Works Division.

Hedgepeth
Chairman,
Public Works &
Transportation
Committee

ACTION REQUESTED: Adopt the resolution

35. RESOLUTION appropriating \$980,000.00, CIP Project number SW02120 chargeable to the FY 2016 Capital Improvement Budget for the rehabilitation of a major sanitary sewer line near McLean Boulevard and I-40. This resolution is sponsored by the Public Works Division.

Hedgepeth
Chairman,
Public Works &
Transportation
Committee

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT